

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Ferree et al.

Serial No.: 10/679,667

Group No.: 3732

Filed: Oct. 6, 2003

Examiner: A. Reimers

For: MULTIAXIAL ARTIFICIAL DISC REPLACEMENTS

**RESPONSE TO RESPONSE TO REQUEST FOR  
CORRECTED FILING RECEIPT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Response to Request for Corrected Filing Receipt mailed March 5, 2008, Applicant's representative previously requested a corrected filing receipt to correct the inventorship of the subject application. Attached are copies of a Transmittal of Replacement Declaration/Oath and Application Data Sheet filed March 31, 2004 (mailed March 26, 2004). These items were submitted in response to the Notice to File Missing Parts of Application mailed December 30, 2003. The above-mentioned Transmittal document explains the reason for the submission of replacement Declaration/Oath and Application Data Sheet.

In accordance with the above-referenced explanation and attached documents, Applicant does not believe a request under 37 CFR §1.48 is required. Applicant respectfully requests a corrected filing receipt listing both inventors.

Respectfully submitted,

By:

John G. Posa

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Dated: March 13, 2008

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ferree et al

Serial No.: 10/679,667

Group No.: 3738

Filed: Oct. 6, 2003

Examiner:

For: MULTIAXIAL ARTIFICIAL DISC REPLACEMENTS

## TRANSMITTAL OF REPLACEMENT DECLARATION/OATH

Mail Stop MISSING PARTS  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application (PTO-1533) mailed December 30, 2003, Applicant submitted a Declaration/Oath with the required \$65 surcharge on January 12, 2004. However, that Declaration/Oath was missing the name, address and signature of co-inventor, Timothy L. Ferree. The original Declaration/Oath, which was filed with the application without signatures on October 6, 2003, listed both inventors. Enclosed herewith is a substitute Declaration/Oath complete with both inventor's information and signatures. Also enclosed herewith is the original Application Data Sheet listing both inventors.

Since Applicant previously paid the \$65 small entity surcharge in January 2004, enclosed is a one-month extension fee of \$55.00. Applicant believes no other fees are due at this time. However, if any additional fees or charges are necessary, please charge them to our Deposit Account No. 07-1180.

Respectfully submitted,

By: \_\_\_\_\_

John G. Posal

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Date: March 26, 2004